

PATENT: Mail Stop AF
Attorney Docket No. 10260.0011-00

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Morten BRYHN et al.

Application No.: 10/582,978

Filed: June 15, 2006

For: USE OF A FATTY ACID
COMPOSITION COMPRISING
AT LEAST ONE OF EPA AND
DHA OR ANY COMBINATIONS
THEREOF

)
) Group Art Unit: 1627
)
) Examiner: Timothy E. Betton
)
) Confirmation No.: 8212
)
VIA EFS-WEB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the Examiner's decision mailed April 7, 2010.

The item(s) checked below are appropriate:

1. Applicant petitions for a [Fee] month extension of time, based on the mailing date of the outstanding Office action. The petition fee of \$[Fee] is enclosed.
2. Applicant has previously filed a Petition for extension of time extending the period for response to the outstanding Office action to August 9, 2010 (as August 7, 2010, fell on a Saturday). Applicant now petitions for an additional extension of time to extend the period for response to October 7, 2010. The petition fee of \$980.00 is enclosed (i.e., a three month extension of time for \$1,110.00 minus the one-month fee already paid, \$130.00).
3. The Notice of Appeal Fee of \$540.00 is enclosed.

4. The Notice of Appeal Fee was previously paid in this application on [Date], but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.
5. A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 7, 2010

By: 
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